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February 23, 2023

**BY CM/ECF**

Judge Diane Gujarati  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Courtroom 4B South  
Brooklyn, New York 11201

**Re: Request for Extension of Time to Answer**  
Dayan v. Levy et al., Case No. 1:23-cv-00113-DG-SJB

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Dear Judge Gujarati:

This firm represents Defendants Elie Levy, Michael Kassin, SportLife Brands, LLC, and Blackview Capital, LLC in the above-referenced action. We write to respectfully request a short extension of three (3) business days for Defendants to answer or otherwise respond to the complaint. This is Defendants' first such request.

The summons in this case was issued on January 9, 2023. By email on January 10, 2023, Plaintiff's counsel contacted me by e-mail attaching a copy of the complaint. We initially agreed that Defendants would respond to the complaint by February 24, 2023. Now, for reasons that were not previously foreseeable, **Defendants require a short extension of three (3) additional business days from February 24 to March 1, 2023**. I reached out to Plaintiff's counsel for his consent, and today, at 6:14 P.M., counsel refused my request. The reason stated for declining consent was that counsel is "not authorized to grant additional time."

Plaintiff has filed no return showing that service of the summons was made on any of the Defendants as required by law. Accordingly, no deadline for Defendants' response has been set by the Court. Nor has Plaintiff noticed or requested a waiver of service of the summons pursuant to Fed. R. Civ. P. 4(d). Defendants would have timely returned such a waiver, and service of its response to the complaint by March 1, 2023 would be well within the time permitted thereunder.

Respectfully submitted,

/s/Steven J. Cohen

Steven J. Cohen

cc: All counsel of record (via ECF)